

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (currently amended) An isolated DNA construct comprising at least one ~~mutated~~ binding site for a growth factor independence-1 (Gfi-1) transcription repressor, said ~~mutated~~ binding site comprising a point mutation which hinders or prevents binding of said Gfi-1 repressor to said site.
2. (original) The DNA construct of claim 1, which is a promoter.
3. (original) The DNA construct of claim 2, wherein said promoter is a mammalian cellular promoter.
4. (original) The DNA construct of claim 2, wherein said promoter is a viral promoter.
5. (original) The DNA construct of claim 4, wherein said promoter is a human cytomegalovirus promoter.
6. (currently amended) The DNA construct of claim 5, which is a cytomegalovirus MIE (Major Immediate Early) promoter.
7. (previously presented) The DNA construct of claim 1, wherein said Gfi-1 binding site prior to said mutation is greater than 65% homologous with a sequence consisting of TAAATCACNGCA (Sequence I.D. No. 2), wherein N is A or T.
8. (previously presented) The DNA construct of claim 1, wherein said Gfi-1 binding site prior to said mutation is greater than 79% homologous with a sequence consisting of

TAAATCACNGCA (Sequence I.D. No. 2), wherein N is A or T.

9. (original) The DNA construct of claim 1, wherein said Gfi-1 binding site prior to said mutation comprises the sequence  $N_1AAATCACN_2GCA$  (Sequence I.D. No. 1), wherein  $N_1$  and  $N_2$  are any nucleotide, and said mutation is in a portion of said binding site comprising the sequence AATC.

10. (original) The DNA construct of claim 1, wherein said binding site resides within an expression regulatory segment and said regulatory segment is operatively linked to a coding segment.

11. (original) The DNA construct of claim 10, wherein the coding segment encodes a gene product selected from the group consisting of cytokines, interleukins, interferons, growth factors and proto-oncogenes.

12. (withdrawn) An expression regulatory segment comprising at least one copy of a sequence  $N_1A-R-CN_2AGCA$  (Sequence I.D. No. 3), wherein  $N_1$  and  $N_2$  are any nucleotide, and R is a tetranucleotide selected from the group consisting of:

$N_3ATC$ ,  $AN_4TC$ ,  $AAN_5C$ ,  $AATN_6$

$N_3N_4TC$ ,  $N_3AN_5C$ ,  $N_3ATN_6$ ,  $AN_4N_5C$ ,  $AN_4TN_6$ ,  $AAN_5N_6$

$N_3N_4N_5C$ ,  $N_3N_4TN_6$ ,  $N_3AN_5N_6$ ,  $AN_4N_5N_6$ , and  $N_3N_4N_5N_6$ ,

wherein  $N_3$  is G, C or T, or is absent, or is an oligonucleotide of two or more nucleotides;

$N_4$  is G, C or T, or is absent, or is an oligonucleotide of two or more nucleotides;

$N_5$  is A, G or C, or is absent, or is an oligonucleotide of two or more nucleotides; and

$N_6$  is A, G or C, or is absent, or is an oligonucleotide of two or more nucleotides.

13. (withdrawn) The expression regulatory segment of claim 12, wherein R is selected from the group consisting of GATC, ACTC and AATA.

14. (withdrawn) The expression regulatory segment of claim 12, which is a promoter.
15. (withdrawn) The expression regulatory segment of claim 14, wherein said promoter is a mammalian cellular promoter.
16. (withdrawn) The expression regulatory segment of claim 14, wherein said promoter is a viral promoter.
17. (withdrawn) The expression regulatory segment of claim 16, wherein said promoter is a human cytomegalovirus promoter.
18. (withdrawn) The expression regulatory segment of claim 17, which is a human cytomegalovirus MIE promoter.
19. (withdrawn) An expression vector comprising the expression regulatory segment of claim 12 and an operatively positioned insertion site for insertion of a coding segment.
20. (withdrawn) The expression vector of claim 19, in which is inserted a coding segment selected from the group consisting of cytokines, interleukins, interferons, growth factors and proto-oncogenes.
21. (original) An isolated DNA molecule comprising a sequence selected from the group consisting of Sequence I.D. No. 13 and Sequence I.D. No. 14.
22. (original) An expression vector comprising the DNA molecule of claim 21.
23. (original) A method for improving expression of genes regulated by expression regulatory sequences which contain binding sites for a Gfi-1 transcription repressor,

which comprises altering the sequence of said binding sites so as to hinder or prevent binding of said Gfi-1 transcription repressor to said binding sites, thereby improving said gene expression.

24. (currently amended) The method of claim 23, wherein said binding sites are altered at a tetranucleotide sequence contained therein, ~~which~~ wherein the tetranucleotide sequence is AATC.